

revised

EXHIBIT 5
DATE 3-11-09
SS 83

Amendments to Senate Bill No. 83
3rd Reading Copy

Requested by Senator Rick Laible

For the House Human Services Committee

Prepared by Sue O'Connell
March 9, 2009 (1:15pm)

1. Page 4, line 25.

Insert: "COORDINATION SECTION. Section 8. Coordination instruction. If both House Bill No. 93 and [this act] are passed and approved, then [section 5 of this act] must be amended as follows:

"NEW SECTION. **Section 5. Confidentiality.** (1) Review or discussion of data contained in the EMS council regional, state, or local medical run review for purposes of evaluation and improvement is not subject to discovery in a civil action and may not be introduced into evidence in a judicial or administrative proceeding.

(2) Data and reports from medical run reviews concerning that are provided by an EMS council to an individual providing offline medical direction and that concern quality improvement or the quality of field care provided by emergency medical technicians ~~to an offline medical director on behalf of an EMS council~~ are not subject to discovery in a civil action and may not be introduced into evidence in a judicial or administrative proceeding.

(3) Medical run review information in a report ~~by a offline medical director prepared by an individual providing offline medical direction~~ that is used to evaluate and improve the quality of emergency medical service field care is not subject to discovery and may not be introduced as evidence in a judicial or administrative proceeding."

- END -

Explanation - This coordination section is necessary because HB 93 eliminates the definition of "offline medical director" and replaces it with the term "offline medical direction."

HB 93 was developed by the Children, Families, Health, and Human Services Interim Committee in conjunction with the Department of Public Health and Human Services and the Board of Medical Examiners to address issues raised in a legislative audit. HB 93 contains preferred new definitions developed in response to the audit, including the definition of offline medical direction.